

## Message Text

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11

ORIGIN EB-11

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EUR/ SOV - MS. BRYANT

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R 292219 Z MAR 73

FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

UNCLAS STATE 058288

E. O. 11652: N/ A

TAGS: EIND, UR

SUBJECT: SOVIET COPYRIGHT ISSUES

REF: A) MOSCOW 3824

B) STATE 3788

1. AMENDMENTS SOVIET COPYRIGHT LAW REPORTED REFTEL ( A)  
RAISE TWO IMPORTANT QUESTIONS WHICH OF GREAT CONCERN HERE  
AND RECEIVING SUBSTANTIAL COVERAGE IN PRESS. FIRST QUES-  
TION IS WHETHER NEW AMENDMENTS TO FIRST AND SECOND  
PARAGRAPHS OF ARTICLE 97 AND TO ARTICLE 98 ARE DESIGNED TO  
PREVENT THE PUBLICATION OF THE WORKS OF SOVIET DISSIDENT  
WRITERS IN THE WEST. THIS QUESTION ALSO OF INTEREST TO  
CONGRESS AS EVIDENCED BILL S. 1359 INTRODUCED BY SENATOR  
MCCLELLAN, WHICH WOULD AMEND U. S. COPYRIGHT LAW IN ATTEMPT  
TO ASSURE COPYRIGHT TO AUTHOR AND VOLUNTARY ASSIGNEES AS  
OPPOSED TO A GOVERNMENT EXPROPRIATION OF THAT RIGHT.  
DEPARTMENT POUCHING COPY OF BILL SEPARATELY.

2. SECOND QUESTION CONCERNS ADDITION OF NEW POINT SEVEN TO  
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ARTICLE 103. AS REPORTED, ARTICLE COULD BE INTERPRETED AS BEING BROAD ENOUGH TO PERMIT INDISCRIMINATE USE OF U. S. BOOKS FOR NON- PROFIT SCIENTIFIC AND EDUCATIONAL PURPOSES WITHOUT AUTHORIZATION AND REMUNERATION. IF SO, THIS WOULD IN LARGE PART VITIATE BENEFIT SOVIET ADHERENCE UCC AND WOULD SEEM BE VIOLATION OF UCC.

ACTION REQUESTED:

1. AT YOUR DISCRETION, PLEASE TRY IN LOW- KEY MANNER TO ASCERTAIN IF SOVIETS GEARING UP TO USE ARTICLES 97 AND 98 TO CRACK DOWN ON FOREIGN PUBLICATION OF SOVIET WORKS UNDER UMBRELLA OF UCC.
2. HAS SOVIET LEGISLATION ESTABLISHING PROCEDURES AS DESCRIBED REFTEL ( A) PAR. 3 BEEN DRAFTED? IF SO PLEASE CABLE CONTENTS.
3. PLEASE CONTACT APPROPRIATE SOVIET OFFICIAL ( E. G., STUKALIN MIGHT BE GOOD SOURCE) AND SEEK CLARIFICATION OF NATURE AND EXTENT TO WHICH POINT 7 OF ARTICLE 103 WILL APPLY TO USE OF FOREIGN WORKS IN USSR.
4. HAS EMBASSY HAD TIME CONSIDER ESTABLISHING CONTACT WITH STUKALIN AS SUGGESTED REFTEL ( B)? ROGERS

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\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* UNCLASSIFIED

## Message Attributes

**Automatic Decaptioning:** X  
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**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
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**Decaption Note:**  
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**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
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